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MEMORANDUM FOR: Assistant Deputy Director (Support)

FROM : Deputy Comptroller

SUBJECT : Paragraph 7 of Proposed Headquarters and
Advances

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1. This memorandum requests action by the ADD/S. The action requested is stated in paragraph 9.

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2. Headquarters' regulation R [redacted] was circulated among Agency components by RCS on 15 April 1955. As a result of comments received in the coordination process, the regulation was redrafted, [redacted] part prepared, and both drafts resubmitted to RCS on 14 September 1955. RCS circulated the latter under date of 9 November 1955.

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3. Paragraph 7, entitled, "Deposits Made from Advanced Funds in Lieu of Payment of Import Duties" appeared in both the first and second drafts. The Office of General Counsel concurred in the first draft by comment as follows:

"This Office finds no legal objection to the proposed regulation but suggests the following changes to prevent possible misinterpretation:

4. Paragraph 7d.

Since paragraph 7d provides the requirement for accounting for customs deposits when made it would appear that the portion of the second sentence of paragraph 7d reading 'an accounting for the advance to which shall be attached' is superfluous and may be omitted".

4. Paragraph 7d of the first draft was revised in accordance with the above suggestion of the OGC and appeared as paragraph 7g in the second draft.

5. Prior to the initial circularization of the headquarters' regulation, this Office desired to establish effective controls with respect to deposits made to foreign governments in lieu of the payment of customs duties and obtain accountings therefor. Such advances are made by Agency

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personnel from funds [redacted] for travel and operational purposes. Accordingly a proposed [redacted] was circulated by RCB on 16 March 1955, which was intended as a temporary publication until [redacted] was issued. The DD/P did not concur in the proposed [redacted] advising that the contents should be included in the regulation on advances and the proposed notice be canceled. The headquarters [redacted] regulations circulated on 9 November 1955, referred to in paragraph 2 above, contained the criteria embodied in the canceled [redacted]

6. All comments received as a result of the 9 November 1955 circularization have been resolved with the exception of the nonconcurrence of the Office of General Counsel as stated in Attachment A.

7. Comments of the DD/P, contained in Attachment B, and comment of the Office of Logistics, shown in Attachment C, have been embodied in a revised paragraph 7, which is submitted in Attachment D.

8. The Director of Logistics and this Office concur in the position of the DD/P, being of the opinion that authorization to use advances of confidential funds for the payment of customs deposits and accounting therefore is appropriate to the purpose of it and [redacted]

9. In accordance with telephone conversation, your Office will undertake a resolution of the conflicting positions of the components set forth above.

ATTACHMENTS:

Jim
TAS/SLM/nlc (14 January 1957)

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